

## Register results

The following actions have been taken by Federal agencies. They have all been previously summarized as proposals by CONSUMER REGISTER. Extent of consumer comment is reported when such information is available.

- **National Highway Traffic Safety Administration (NHTSA)** has extended its windshield retention requirements to buses, light trucks & multipurpose passenger vehicles (MPVs). Some of the manufacturers who commented on the proposal objected to certain requirements (such as having the vehicle tested at a high temperatures). Details—*Federal Register*: Aug. 30, page 36493; Jan. 18, 1974, page 2274. CONSUMER REGISTER: Feb. 15, 1974.

- **Agriculture Dept.** has adopted standards for grades of frozen hash brown potatoes that designate different levels of quality for the voluntary use of industry. Agriculture received 5 comments on the proposal: 2 from consumers, 2 from government agencies & one from a food processor. One consumer comment approved of the proposal as an aid to consumers & the other one opposed it on the grounds that there already are too many Federal regulations. Details—*Federal Register*: Oct. 1, page 43385.

## Red #4 & carbon black

**Food & Drug Administration (FDA)** has ended the provisional approval for 2 color additives: Red #4 & carbon black. ("Provisional listing" meant the colors had been tentatively approved for certain uses while additional safety tests were made. If safety had been established, the colors would have been put on a permanent list of approved additives.)

Red #4—the color additive most often used to color maraschino cherries—may no longer be used for food. Also, it can no longer be used for drugs taken by mouth. FDA is, however, permanently approving use of Red #4 for externally applied drugs & cosmetics.

Carbon black—the additive used in products such as licorice, color coating for drugs & mascara—may not be used for any of these products because FDA says no adequate method exists for detecting certain polynuclear aromatics (PNAs) that might remain in the color during the manufacturing process. Some PNAs are known to cause cancer.

In addition to the above actions, FDA is clarifying the status of every color additive that it has provisionally approved (as provided in the 1960 Color Additive Amendments to the Food, Drug & Cosmetic Act). FDA plans to permanently approve 20 other color additives for drugs & cosmetics. FDA proposes to continue the provisional approval of 52 others—including 3 for use in food—if certain additional tests are conducted.

Red #2, which had been used for 68 years, was finally banned in February of this year because FDA said the dye's safety could not be proven. Although Red #2 may not be used legally now, there will be a public hearing on the matter because the Certified Color Manufacturers Association objected to various aspects of FDA's findings. The hearing will be Feb. 21, 1977, before an administrative law judge in the hearing room of the Parklawn Building, 5600 Fishers Lane, Rockville, MD 20852.

Details—*Federal Register*: Sept. 23, page 41852; Aug. 30, page 36531; July 20, page 29896. CONSUMER REGISTER: Feb. 1 & March 1.

## Single gender language

**Civil Service Commission's (CSC) Office of the Federal Women's Program** has recommended that single gender language (such as he, him, his) be avoided in all documents & other publications issued by CSC. Purpose is to eliminate words that would suggest preference for certain groups & which may in some way contribute to the perpetuation of sex discrimination.

Here are some examples of sentences & phrases that would be considered inappropriate language:

- The supervisor is the key man on the job.
- Impact of the man on the job.
- The employee is responsible for notifying his supervisor.

NSC has already changed its regulations to comply with the recommendations & Office of the Federal Women's Program urges other agencies to do so. [CONSUMER NEWS intends to be vigilant in avoiding sexist language in the future, but it draws the line on "pregnant persons."]

The American Society for Public Administration (ASPA) has published a guide called "We the People . . . Guidelines for Eliminating Sex-Biased Language." Single copies are free by writing to Standing Committee on Women in Public Administration, American Society for Public Administration, 1225 Connecticut Ave. NW, Washington, DC 20036.

Details—*Federal Register*: Sept. 25, page 41907.

## Inflation impact statements

**Office of the Federal Register (OFR) & Office of Management & Budget (OMB)** have revised guidelines on inflation impact statements that are required by Executive Order 11821 [CONSUMER REGISTER: Jan. 15, 1975].

The Executive Order requires Federal agencies that originate major legislative proposals, regulations & rules to include a statement saying that the potential inflation impact on those rules has been evaluated. OMB issued Circular A-107 containing initial guidelines.

Revised guidelines require each Federal agency to use the following language for proposed & final rules considered by them to be "major":

"The (insert agency name) has determined that this document contains a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 & OMB Circular A-107 & certifies that an Inflation Impact Statement has been prepared."

For "minor" rules & proposals, a declaration to that effect must be included—saying that an inflation impact statement does not have to be prepared.

Details—*Federal Register*: Oct. 1, page 43476; Nov. 29, 1974, page 41501.

## Electronic fund transfers

**National Commission on Electronic Fund Transfers (NCEFT)** has held public hearings (Oct. 26 & 27) to determine how the interests of consumers would be served in the development of electronic fund transfer (EFT) systems. At CONSUMER NEWS deadline, the results of the hearings were not available, but consumers & others have until Nov. 18 to send written comments on aspects of EFT. (EFT is an electronic system of banking & billing by computer that is being used to a limited extent across the nation. By using a credit card or by using the

phone to contact a financial institution, a consumer can transfer funds & pay bills without writing a check.)

Public Law 93-495 authorizes, among other provisions, the establishment of a National Commission on Electronic Fund Transfers to study & investigate the need for legislation or other action pertaining to systems for EFT. Commission has a 2-year life span & is directed to issue a final report on EFT in October 1977.

Commission would like to hear from consumers on some of the following problems that may be associated with a more "cashless society":

- Would consumers' privacy rights be violated? A financial institution would be able to develop a comprehensive profile of a consumer's habits, travel, political & religious beliefs. If a government checked, for example, into the individual's records for possible tax evasion, it could then use the same files for surveillance purposes. What rights should consumers have regarding financial information describing their transactions? Should consumers be able to review their financial records & challenge the accuracy of any information contained? [See summary on "School records & privacy" in CONSUMER REGISTER: July 15.]

- What impact would EFT have on consumer convenience & other consumer benefits? Surveys indicate that the average consumer spends at least 2 hours a month in reconciling bank statements & paying bills, in addition to trips to banks & postage costs. For some, these chores may be an inconvenience; for others, an essential part of personal financial management.

- What about security & the steps consumers can take to monitor & detect any illegal activity in their financial accounts? Who should be liable if an unauthorized person uses the consumer's EFT account?

- Because converting to EFT services may be economically sound for financial institutions, should consumers be deprived of the opportunity to choose between EFT services & conventional paper based systems?

Details—*Federal Register*: Oct. 5, page 43965. Send comments to National Commission on Electronic Fund Transfers, Suite 900, 1000 Connecticut Ave. NW, Washington, DC 20036.

## Low income housing

**Housing & Urban Development Dept.** (HUD) has adopted new criteria for establishing maximum income limits for low income families who are eligible to live in housing projects owned or leased to Public Housing Agencies (PHAs).

One highlight of the new rule deals with eviction of tenants whose increased income makes them no longer eligible for the PHA housing: PHA will not be allowed to commence eviction proceedings or refuse to renew a lease based upon the income of the tenant family unless it can find suitable housing elsewhere at a rent not exceeding 25% of the family's income.

PHAs are required to reexamine the income of every eligible family at least annually & the income of an elderly family at least every 2 years.

Details—*Federal Register*: Oct. 5, page 44002.

## Tax reform

**Internal Revenue Service** (IRS) would like to receive comments & suggestions as soon as possible on the best ways to help the public comply with the Tax Reform Act of 1976 (Public Law 94-455).

Because many forms will have to be revised, new regulations drafted & press releases issued, IRS would particularly like suggestions on what information the forms & instructions should contain & suggestions for news releases & other actions.

Details—*Federal Register*: Oct. 6, page 44062. Send comments to Commissioner of Internal Revenue, Attention: T:FP, Washington, DC 20224.

## Canned fruit sweeteners

After **Food & Drug Administration** (FDA) banned the use of cyclamate in food products (late in 1969), fruit canners were looking for "palatable, calorie reduced canned fruits sweetened by a combination of nutritive & non-nutritive sweeteners." As a result, on July 21, 1970, FDA issued a statement of policy that in effect permitted the fruit canners to use saccharin combined with a nutritive sweetener, such as sugar—but with specific labeling uses as to percentage of sweeteners, caloric content & other descriptive information. Policy was to remain in effect for one year, pending requests for establishment of a standard of identity for this product. Because no such requests were received, FDA is now revoking the policy.

Details—*Federal Register*: Oct. 8, page 44380; July 21, 1970, page 11620.

## Energy efficiency labeling

**Federal Trade Commission** is asking for comments, by Nov. 15, on a technical problem involving the establishment of a way to measure & compare different models of household appliances covered by the Energy Policy & Conservation Act. This law requires labeling to inform consumers about energy efficiency. Consumers & others will have an opportunity to comment on the actual regulations as soon as FTC publishes a proposal. For more information, write to Assistant Director for National Advertising, Federal Trade Commission, Washington, DC 20580. Ask for "Proposed Comment on Consumer Appliance Ranges."

Details—*Federal Register*: Sept. 30, page 43250.

## Meeting

**Consumer Advisory Council of Office of Consumer Affairs** (OCA) announces public meeting to review & evaluate consumer participation mechanisms under the Consumer Representation Plans:

Nov. 15 & 16: 9 a.m.  
Room 5104, New Executive Office Bldg.  
17th & H Sts. NW  
Washington, DC 20506

This listing, prepared by Marion Q. Ciaccio, is intended only as summary coverage of selected *Federal Register* items deemed of particular interest to consumers, & it does not affect the legal status or effect of any document required or authorized to be published pursuant to Section 5 of Federal Register Act as amended, 44 U.S.C. 1505. *Federal Register* is published Monday through Friday (except Federal Government holidays) by **Office of the Federal Register, National Archives & Records Service, General Services Administration**. Subscription is \$5 a month or \$50 a year & may be ordered from **Superintendent of Documents, Government Printing Office**, Washington, DC 20402. Superintendent also sells copies of *Federal Register* for 75¢ each. Free copies of *Federal Register* may be available in libraries.

## For you

These forms are for you to use, if you wish, in commenting on any Federal Agency proposal summarized in CONSUMER REGISTER. Of course, if you cannot get your comments on the front & back of a form, feel free to continue your comments on additional paper.

Send comment forms to addresses listed in the summary.

CONSUMER NEWS is publishing these forms in cooperation with Food & Drug Administration (FDA).

## Rate Register

### Mail

• (This is a continuation of Postal Service's (PS) suggested mailing schedule for mailing Christmas cards & packages outside the U.S. Earlier schedule appeared in last issue of RATE REGISTER.)

Nov. 18—Parcel Air Lift parcels to US forces in South & Central America, Liberia & Republic of Zaire.

Nov. 20—Space Available Mail packages to US forces in Belgium, Denmark, England, Finland, France, Germany, Greece, Italy, Netherlands, Norway, Portugal & Spain. Space Available Mail packages to US forces in Antarctica, Australia, Burma, Indonesia, Japan, Korea, New Zealand, Okinawa, Philippines, Taiwan & Vietnam.

Nov. 25—Surface mail & Space Available Mail packages to US forces in Canada, Greenland, Labrador, Newfoundland & the Azores.

Nov. 27—Parcel Airlift packages to US forces in Belgium, Denmark, England, Finland, France, Germany, Greece, Italy, Netherlands, Norway, Portugal & Spain. Parcel Air Lift packages to US forces in Antarctica, Australia, Burma, Indonesia, Japan, Korea, New Zealand, Okinawa, Philippines, Taiwan & Thailand.

Nov. 30—Surface packages to Alaska & Hawaii. Letters to US forces in South & Central America, Ethiopia, Iran, Israel, Saudi Arabia, Turkey, Antarctica, Australia, Burma, Indonesia, Japan, Korea, New Zealand, Okinawa, Philippines, Taiwan & Thailand.

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Clip this form, fill in blanks, write your comments & mail to agency noted in CONSUMER REGISTER item.

This is my opinion on (title of item in CONSUMER REGISTER) \_\_\_\_\_  
by (name of agency) \_\_\_\_\_  
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## Rate Register

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### Air freight

• **Civil Aeronautics Board (CAB)** has approved requests by most domestic airlines for 10% air freight increases. Not included are increases in minimum freight charges & rates for shipments of less than 45.4 kilograms (100 pounds). (CAB allowed rates of 10% to 15% last February.)

### Phones

• **Federal Communications Commission (FCC)** has adopted a report on the economic effects of telephone industry competition in private lines & equipment. FCC concluded "there is no apparent basis for the telephone industry's claims that private line & terminal equipment competition either have had or are soon likely to have any significant adverse impact on telephone company revenues or in the rates for basic telephone services." For a copy of the Executive Summary of the report, write to Federal Communications Commission, 1919 M St. NW, Washington, DC 20554. Ask for Report No. 12342, dated Sept. 23.

### Natural gas

On Oct. 21, **Federal Power Commission (FPC)** told natural gas producers that they could not receive the benefits of increased gas rates from "recompleted" wells. ("Recompleted" wells are those that are modified after their completion to provide gas from a different strata of the gas-producing earth formation.)

FPC has previously issued an order on July 27 that significantly increased the price to be paid for gas produced from wells drilled after Jan. 1, 1973. Recent data has indicated that the impact of the July order would increase the wholesale cost of gas by \$2.05 billion. To reduce this impact, FPC has issued a clarification: Wholesale gas rates apply to the original drilling date of a well, not the date of any subsequent "recompletion" of an earlier drilled well.

Because the increased gas rates apply only to so-called "new" gas, the average consumer using natural gas for home heating can expect to pay an extra \$15.60 per year in fuel bills.

